

with the substantive provision laid down. In the case of the rules of zoological nomenclature, such considerations may perhaps be of less force than in cases where any question of interpretation which may arise is subjected to expert scrutiny by persons trained in interpretative technique, whereas the object of the *Règles* must be to provide clear guidance to persons whose special expertise lies in other fields. For this reason it may be felt that, notwithstanding the general objection to which negative, as contrasted with positive, provisions must always be open, it would be to the general convenience that the International Commission on Zoological Nomenclature should render a "Declaration" stating that: "For the purposes of the provision relating to the rejection of secondary homonyms, an author rejecting one name as a secondary homonym of another name is required to make it clear that he considers that the species bearing the trivial name so rejected is congeneric with another species bearing a previously published identical trivial name but is free to indicate his view on this subject in whatever way he may consider appropriate, provided that the method so adopted leaves no reasonable doubt that he considers the two species concerned to be congeneric with one another."

5. It would be of assistance to the International Commission on Zoological Nomenclature if any specialist interested in the problems raised by the Law of Homonymy would be so good as to send to the Secretary to the Commission (address: 28 Park Village East, Regent's Park, N.W.1, London, England) a statement of his views on the issue raised in the present note for consideration by the International Commission.

ON THE NOMENCLATORIAL STATUS OF NAMES PUBLISHED IN 1777 IN THE "INTRODUCTIO AD HISTORIAM NATURALEM" OF GIOVANNI ANTONIO SCOPOLI

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

(Commission's reference Z.N.(S.)587)

1. At its Session held in Lisbon in September 1935 (Lisbon Session, 4th Meeting Conclusion 11) the International Commission on Zoological Nomenclature had under consideration an application submitted by Dr. B. G. Chitwood (Bureau of Animal Industry, U.S. Department of Agriculture, Washington, D.C.) jointly with four other specialists (all of the U.S. Department of Agriculture), the central feature of this application being the question whether the generic name *Anguina* Scopoli, 1777, published in the foregoing work, was or was not an available name. The point at issue was whether in the *Introductio* Scopoli had applied the "principes de la nomenclature binaire," as then required by Article 25 of the *Règles*. At that time the meaning to be attached to the foregoing expression was the subject of keen debate, some authors claiming that it was identical in meaning with the expression "nomenclature binominale," others that it had a wider meaning. Pending a decision by the International Congress of Zoology on the question of principle involved, all that it was possible for the Commission to do in regard to the application

submitted by Dr. Chitwood and his colleagues was to rule that "for so long as names published by authors using a binary, though not binominal system of nomenclature were recognised as complying with the requirements of Article 25 of the International Code, the generic names published in . . . the *Introductio* . . . should be accepted as available nomenclatorially, but that the position should be re-examined if later it were decided to reject generic names published by authors not applying the binominal system" (1943, *Bull. zool. Nomencl.* **1** : 37-38). In 1943 the foregoing decision was formally embodied in an *Opinion* (*Opinion* 160) which was published two years later (1945, *Opin. Decl. int. Comm. zool. Nomencl.* **2** : 291-306).

2. The next event bearing on the present problem occurred in 1943 when the late Mr. R. Winckworth submitted an application to the International Commission on Zoological Nomenclature, asking for a ruling on the question whether the work by Martin Thrane Brünnich entitled *Zoologiae Fundamenta*, then believed to have been published in 1772 (but later found to have been published in 1771), satisfied the requirements of Proviso (b) to Article 25 of the *Règles*. Mr. Winckworth pointed out in his application that Brünnich's *Fundamenta* was (as its title indicated) an introduction to zoology, that it dealt with taxonomic categories down to, and including, the genus level, but out of considerations of time and space did not attempt to list the species referable to the genera recognised ("Enumeratio specierum nimis foret proluxa."). The only point raised was whether the failure by an author to deal with species, brought his work outside the scope of Proviso (b) to Article 25 (the proviso which then made the availability of a name depend upon the application by its author of the "principes de la nomenclature binaire"); for there was nothing to suggest that, if Brünnich's *Fundamenta* had been designed to deal with species as well as higher taxonomic categories, he would not have applied the principles of binominal nomenclature. It was immediately evident that the problem presented by Brünnich's *Fundamenta* was identical with that raised by Scopoli's *Introductio*, for each of these works was a general textbook of (or introduction to) zoology and in each the author dealt with the various taxonomic categories down to the species level but no further, Brünnich citing no species, Scopoli only occasionally citing species, employing when he cited a specific name, otherwise than in a quotation, a strictly binominal system of nomenclature.

3. At its Session held in Paris the International Commission on Zoological Nomenclature (1950, *Bull. zool. Nomencl.* **4** : 63-66) proposed, and the Thirteenth International Congress of Zoology agreed, that the expression "nomenclature binaire" as hitherto used in the *Règles* had the same meaning as the expression "nomenclature binominale" and substituted the latter expression for the former, wherever it had till then occurred in the *Règles* (i.e. in Articles 25 and 26). This decision cleared up one of the questions which were doubtful at the time when the International Commission rendered its *Opinion* 160 (in regard to the name *Anguina* Scopoli, 1777). As we have seen however (paragraph 2) a decision on this question of principle was not itself sufficient to provide an answer to the problem raised by Scopoli's *Introductio* of 1777 and by Brünnich's *Fundamenta*, for that problem was not whether Scopoli and

Brünnich were binominal authors—there was never any doubt on that score—but whether a binominal author should be held to have complied with the requirements of Proviso (b) to Article 25, i.e. whether he was to be regarded as having “appliqué les principes de la nomenclature binominale” (formerly “binaire”) if in the work in question he dealt with zoological systematic categories, down to, but not including, the species level.

4. At its Paris Session also, the International Commission dealt with the application submitted by the late Mr. Winckworth in regard to the status of new names as published in Brünnich's *Fundamenta* of 1771 (Paris Session, 12th Meeting, Conclusion 2). In accordance with the principle laid down at Lisbon in 1935 (1943, *Bull. zool. Nomencl.* 1: 40) the International Commission decided first the question of principle involved and, having done so, applied the decision so reached to the particular case of Brünnich's *Fundamenta*. On the question of principle, the International Commission agreed (1950, *Bull. zool. Nomencl.* 4: 309) “that, where, prior to 1st January, 1931, an author had published a new generic name in a work dealing with classification down to the generic level but no further, it was not necessary for the purpose of Proviso (b) to Article 25 that in the work concerned the author in question should have cited trivial names of species under that genus or other genera discussed in the book concerned, provided that it was evident that the author concerned would have applied the principles of binominal nomenclature for species if in the book concerned he had dealt with taxonomic units below the genus level.” In the light of the foregoing decision the International Commission agreed (1950, *ibid* 4: 309-310) “to render an *Opinion* stating that, for the reasons given above, the generic names published in Brünnich, 1771, *Zoologiae Fundamenta* complied with the requirements of Article 25 of the *Règles*.”

5. The decision taken by the International Commission in regard to the status of new generic names in Brünnich's *Fundamenta* provides a clear guide for settling the problem of the availability of new generic names in Scopoli's *Introductio* of 1777, for the features presented by that work are indistinguishable from those presented by Brünnich's *Fundamenta*. The stage has therefore now been reached when the Commission is in a position, in accordance with its announced intention, to complete the consideration of the questions raised, but (at that time, unavoidably) left unanswered in its *Opinion* 160 regarding the name *Anguina* Scopoli, 1777, and associated problems. It is accordingly recommended that, in pursuance of the decision on procedure announced in *Opinion* 160 and in the light of the decision of principle taken at the time when the status of the names in Brünnich's *Fundamenta* was settled, the International Commission on Zoological Nomenclature should now give a ruling that in the *Introductio ad Historiam naturalem* of 1777 Scopoli complied with the requirements of Article 25 and therefore that new names published in the above work, if not homonyms or synonyms of older names, are themselves available names.

6. The need for a decision in regard to this matter is extremely urgent, for over the nomenclature of wide areas of the Animal Kingdom the generic names

first published in 1777 in Scopoli's *Introductio* are in current use, but, pending the completion of *Opinion* 160, are liable to challenge with a consequent risk of confusion and unnecessary name-changing. The nomenclature used in Scopoli's *Introductio* is of direct concern, not merely to specialists in one particular Order (where the specialists concerned are at least aware of the nomenclatorial practice in regard to that book adopted by other specialists in that group), but also to specialists in widely separated groups. It may be found, therefore, that in some groups generic names first published in the *Introductio* are not currently in use, specialists in the groups concerned having proceeded on the assumption that the names in question were not available under Article 25 of the *Règles*. In so far as this may prove to be the case, it would clearly be appropriate to apply the general principle laid down by the International Congress of Zoology (1950, *Bull. zool. Nomencl.* 4 : 65) that special consideration should be given to any cases where, as the result of the decision clarifying the meaning of the expression "nomenclature binaire" then taken, a well-known and well-established name was found to be invalid. It is accordingly recommended that, when taking the decision suggested at the end of paragraph 5 of the present application, the International Commission on Zoological Nomenclature should indicate its willingness to give sympathetic consideration to any application which may be submitted to it for the validation of a well-established generic name now found to be either an objective or subjective junior synonym of a generic name published in 1777 in Scopoli's *Introductio* but not currently in use.

7. A decision on the question now submitted to the International Commission will not finally dispose of the matters left undecided in *Opinion* 160 ; since for this purpose it will be necessary for the Commission to decide whether the name *Anguina* Scopoli, 1777, is to be placed on the *Official List of Generic Names in Zoology* or whether some other name should be accepted for the genus concerned. The views of specialists in the Nematoda are being sought on this question, which, when sufficient information has been collected, will be submitted to the International Commission for decision.

ON THE QUESTION WHETHER IT IS DESIRABLE THAT THE NAME "ANGUINA" SCOPOLI, 1777 (CLASS NEMATODA) SHOULD BE PLACED ON THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY" IN PREFERENCE TO SUCH NAMES AS "ANGUILLULINA" GERVAIS & BENEDEN, 1859, OR "TYLENCHUS" BASTIAN, 1865 (A CASE POSSIBLY INVOLVING THE USE OF THE PLENARY POWERS): APPEAL TO SPECIALISTS FOR ADVICE

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(Commission's reference Z.N.(S.)588)

1. At its Session held in Lisbon in 1935 (Lisbon Session, 4th Meeting, Conclusion 11) the International Commission on Zoological Nomenclature had under

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